

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
PUTNAM LEASING COMPANY, INC.,

Plaintiff,

-against-

WALTER R. FIELDS,

Defendant.

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REPORT AND
RECOMMENDATION

05 CV 141 (RJD)(RML)

Judge Raymond J. Dearie

7/31/07
Adopted without
Qualifications.
For relief.
WJD

LEVY, United States Magistrate Judge:

On January 26, 2007, the Honorable Raymond J. Dearie, United States District Judge, granted plaintiff's request for a default judgment against defendant Walter R. Fields ("Fields" or "defendant"). However, the judgment did not specify an amount of monetary damages. Plaintiff Putnam Leasing Company ("plaintiff" or "Putnam") now requests that the court issue a revised judgment setting forth the scope of relief. By order dated February 27, 2007, Judge Dearie referred plaintiff's motion to me. For the reasons set forth below, I respectfully recommend that the court grant the motion and award plaintiff \$156,494.52 in damages, \$40,649.55 in attorney's fees and \$2,142.00 in costs.

BACKGROUND AND FACTS

Plaintiff commenced this lawsuit in November 2004 after defendant defaulted on his payments for the Bentley Continental R automobile ("the vehicle") that he had leased from Putnam in March 2004. (See Complaint, dated Nov. 19, 2004.) The terms of the lease called for an initial payment of \$40,295.34. (See Affidavit of Steven Posner, sworn to Aug. 21, 2006 ("Posner Aff."), ¶ 4, Ex. 1.) Fields was then to make 58 consecutive monthly payments of \$4,172.67, for a total of \$242,014.86 in monthly payments. (Id. ¶ 4.) The lease also called for